

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

DATE: August 26, 2013

SUBJECT: PCB Inspection: Brooklyn International High School
49 Flatbush Avenue Extension
Brooklyn, New York 11201

FROM: James S. Haklar, Ph.D.
Environmental Engineer, Toxics Section
Pesticides & Toxic Substances Branch

TO: Susan Schulz, Chief
Toxics Section

On August 15, 2013, a Toxic Substances Control Act (TSCA) polychlorinated biphenyl (PCB) inspection was performed at the above-referenced location. The purpose of the inspection was to observe the removal and disposal of PCB ballasts and associated fluorescent light fixtures by Empire Control Abatement, Inc. (Empire). The United States Environmental Protection Agency (EPA) began the inspection by holding an opening conference with representatives from the New York City School Construction Authority (SCA), TDX Construction Corporation (the general contractor), Taylor Environmental Group (a consultant to the SCA), and Empire. During the opening conference EPA presented credentials and issued a Notice of Inspection (see Attachment 1).

Background

The Brooklyn International High School is located in an eight-story former industrial building built in 1921. The student population is approximately 1,318. Several HVAC systems are present including a split direct-expansion system, a pneumatic system, and window air conditioning units. Heat is provided through the use of radiators.

The facility is one of approximately 105 schools in which the SCA (during the summer of 2013) is performing school-wide replacement of existing PCB fluorescent light ballasts and fixtures. At each school, an SCA industrial hygienist, along with an independent consultant, oversee the lighting replacement activities.

Inspection Details

At the time of the inspection approximately 85 percent of the lighting replacements had been completed, with the remaining work on the fourth floor and in the basement. Tally sheets (see Attachment 2) show 1,637 non-leaking ballasts, 212 leaking ballasts (all ballasts are assumed to contain PCBs), and 116 stained fixtures.

EPA inspected the PCB waste storage area. The poly-lined, contained area was secured and isolated from the other work areas. The exterior was marked with a PCB mark that was not compliant with the regulations at 40 CFR 761.45 (it did not have the required striping). At the recommendation of EPA, a compliant PCB mark was placed on the exterior of the storage area.

All waste was to be disposed of in accordance with Empire's PCB/Waste Management Plan (see Attachment 3). While the PCB/Waste Management Plan includes a contingency for disposal of asbestos-containing material (ACM), no ACM had been encountered.

EPA also observed the completed recessed lighting replacements on the first floor as well as the preparatory work to replace the pendant lighting on the fourth floor.

Conclusion

EPA concluded the inspection with a discussion of the Agency's observations and completed a Receipt for Samples and Documents (see Attachment 4).

Attachment

1. Notice of Inspection
2. Tally Sheets
3. PCB/Waste Management Plan
4. Receipt for Samples and Documents

ATTACHMENT 1

Notice of Inspection



United States Environmental Protection Agency
Washington, D.C. 20460
Toxic Substances Control Act
NOTICE OF INSPECTION

Form Approved
OMB No. 2070-0007
Approval Expires 10-31-92

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

1. Investigation Identification			2. Time	3. Firm Name
Date 8-15-13	Inspector No. F16426	Daily Seq. No. 1	0900	BROOKLYN INTERNATIONAL H.S.
4. Inspector Address U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II PESTICIDES & TOXIC SUBSTANCES BRANCH-MS-105 2890 WOODBRIDGE AVE. - BLDG 10 EDISON, NEW JERSEY 08837-3679			5. Firm Address 49 FLATBUSH AVENUE EXTENSION BROOKLYN, NY 11201	

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

- ☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

☐ In addition, this inspection extends to (Check appropriate blocks):

- | | |
|--|--|
| <input type="checkbox"/> A. Financial data | <input type="checkbox"/> D. Personnel data |
| <input type="checkbox"/> B. Sales data | <input type="checkbox"/> E. Research data |
| <input type="checkbox"/> C. Pricing data | |

The nature and extent of inspection of such data specified in A through E above is as follows:

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Inspector Signature <i>James S. Haklar</i>		Recipient Signature <i>[Signature]</i>	
Name JAMES S. HAKLAR		Name C. Huis	
Title ENVI. ENGR	Date Signed 8-15-13	Title T.H.C	Date Signed 8/15/13

ATTACHMENT 2

Tally Sheets

FAX

R.S. K 805

EMPIRE CONTROL ABATEMENT.

JOB LOCATION: 49 FLAT RUSH EXTENSION

[illegible]

YARDS

MILES		YARDS

# OF	SIZE	PACKERS/CONTAINER
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		DWC		PACKET CONTAINER	

K. 800

WATEREDGE 49. FLATBUSH EXTENSION
Biklum NY

Non Leaking

Drum # 2	138	Ballast
Drum # 3	120	Ballast
Drum # 4	124	Ballast
Drum # 5	144	Ballast
Drum # 6	111	Ballast
Drum # 7	144	Ballast
Drum # 8	113	Ballast
Drum # 9	128	Ballast
Drum # 11	113	Ballast
Drum # 12	142	Ballast
Drum # 13	123	Ballast
Drum # 14	162	Ballast
Drum # 15	75	Ballast

2. 30. 4. WATER LINE
49 FLATBUSH EXTENSION
BKLYN NY

LEAKING

Drum # 1
Drum # 10

113
99

Ballast Leaking
Ballast Leaking

116 STAIN FIXTURES

ATTACHMENT 3

PCB/Waste Management Plan

Table 1

Description	Handling/Packaging	Waste Container	Disposal Method	Disposal Facility	Waste Transporter
PCB impacted Fixtures with ACM Wires, Clean-up Waste, and Debris. Assumed PCB and ACM (Asb. >1%)	Wrap fixture, cleanup waste, PPE, and debris in transparent 6 mil poly. Place the wrapped and marked material in the PCB/ACM waste accumulation area or directly into the designated waste container.	Sealed roll on/roll off style container.	TSCA and ACM permitted landfill. (Must also comply with section 02081)	Chemical Waste Mgmt 35 964 Alabama Hwy 17 Emelle, AL 35459	Tri-State Transfer 1199 Randall Ave Bronx, NY 10474
PCB impacted Fixtures without ACM Wires, Clean-up Waste, and Debris. Assumed PCB	Wrap fixture, cleanup waste, PPE, and debris in transparent 6 mil poly. Place the wrapped and marked material in the PCB waste accumulation area or directly into the designated waste container.	Sealed roll on/roll off style container.	TSCA permitted (40 CFR 761.75) landfill.	Chemical Waste Mgmt 35 964 Alabama Hwy 17 Emelle, AL 35459	Tri-State Transfer 1199 Randall Ave Bronx, NY 10474
Non-Impacted Fixtures (No PCB leak or stain) with ACM Wires Unless licensed inspector deems asb. free, ACM	Non-Impacted fixtures with ACM wire will be wrapped in 6 mil poly, then affix the appropriate ACM labels. The wrapped and labeled waste shall be placed into the designated ACM container.	Sealed roll on/roll off style container.	Disposal at an ACM permitted landfill.	Minerva Enterprise 9000 Minerva Rd SE Waynesburg, OH 44688	Tri-State Transfer 1199 Randall Ave Bronx, NY 10474 or Empire Control Abate 14-32 123 rd St College Pt, NY 11356
Non-Impacted Fixtures (No PCB leak or stain) without ACM Wires	Recycle or C&D waste.	Roll on/roll off style container.	Recycle or permitted C&D waste landfill.	Minerva Enterprise 9000 Minerva Rd SE Waynesburg, OH 44688	Tri-State Transfer 1199 Randall Ave Bronx, NY 10474 or Empire Control Abate 14-32 123 rd St College Pt, NY 11356
Non-Leaking PCB- and Non-PCB Ballasts. All intact ballasts, regardless of whether or not labeled "No-PCB".	When intact non-impacted ballasts are removed from the fixture, ballasts are placed into the designated "Intact Ballasts" drum.	New 1A2/Y1.8/200 55-gal steel drum marked with: Accumulation Start Date, Drum ID #, and waste description - "NON LEAKING PCB and Non-PCB Ballasts for Recycling." The total drum contents weight in kg will be entered on the manifest at pickup.	Recycling at a TSCA approved facility.	Veolia Environment Svc W Bridgewater, MA	Tri-State Transfer 1199 Randall Ave Bronx, NY 10474
Leaking PCB Ballasts or Ballasts with possible PCB residue	When leaking ballasts are removed from the fixture, ballasts are placed into the "LEAKING PCB Ballast" designated drum.	All leaking ballasts, regardless of whether labeled PCB, will be placed in a new 1A2/Y1.8/200 55-gal steel drum marked with: Accumulation Start Date, Drum ID #, and waste description - "LEAKING PCB Ballasts for Incineration." The total weight in kg drum contents weight in kg will be entered on the manifest at pickup.	TSCA permitted (40 CFR 761.70) incinerator.	Chemical Waste Mgmt Model City, NY 14107 Trans-shipped to: Veolia Environment Svc 7665 Hwy 73 Pt Arthur, TX 77742	Tri-State Transfer 1199 Randall Ave Bronx, NY 10474

Description	Handling/Packaging	Waste Container	Disposal Method	Disposal Facility	Waste Transporter
Intact Fluorescent Lamps	Intact fluorescent lamps are placed into crush rated fiber drums and/or boxes for shipping of fluorescent lamps.	When the crush rated fiber drum or box is placed into service it will have no other markings except the UN/DOT information and the rating and manufacturer of the box. The following information will be on the fiber drum: Accumulation Start Date, Drum ID #, and waste description - "Universal Waste - INTACT Fluorescent lamps for Recycling"	Universal Waste Recycling	<i>Veolia Environment Svc W Bridgewater, MA</i>	<i>Tri-State Transfer 1199 Randall Ave Bronx, NY 10474</i>
Broken Lamps	Broken lamps will be treated as hazardous waste. Lamps will be carefully cleaned up using the appropriate spill clean-up kit. Debris and clean-up material will be placed into a drum labeled hazardous waste.	Broken lamps and clean-up waste will be placed in a new steel 55 gal DOT/UN 1A2/Y1.8/ 200. Proper EPA and DOT labels will be immediately placed on the drum and the hazardous waste label completely filled out.	Hazardous Waste Retort	<i>Veolia Environment Svc W Bridgewater, MA</i>	<i>Tri-State Transfer 1199 Randall Ave Bronx, NY 10474</i>

ATTACHMENT 4

Receipt for Samples and Documents



United States Environmental Protection Agency
Washington, D.C. 20460

Toxic Substances Control Act

RECEIPT FOR SAMPLES AND DOCUMENTS

Form Approved
OMB No. 2070-0007
Approval Expires 10-31-92

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1. Investigation Identification			2. Firm Name
Date 8-15-13	Inspector No. F16426	Daily Seq. No. 1	BROOKLYN INTERNATIONAL H.S.
3. Inspector Address U.S. EPA REGION 2 2840 WOODBRIDGE AVE. EDISON, NJ 08837-3679			4. Firm Address 49 FLATBUSH AVE. EXTENSION BROOKLYN, NY 11201

The documents and samples of chemical substances and/or mixtures described below were collected in connection with the administration and enforcement of the Toxic Substances Control Act.

Receipt of the document(s) and/or sample(s) described is hereby acknowledged:

No.	Description
1	BALLAST + FIXTURE TALLYS
2	DISPOSAL INFORMATION

Optional:

Duplicate or split samples: Requested and Provided ☐ Not Requested ☐

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Inspector Signature <i>James S. Haklar</i>		Recipient Signature <i>[Signature]</i>	
Name JAMES S. HAKLAR		Name CRAIG HUIS	
Title EMF. ENGR.	Date Signed 8-15-13	Title IAC	Date Signed 8/19/13